

## Message Text

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64

ACTION DLOS-04

INFO OCT-01 ARA-10 IO-10 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 FEA-01 ACDA-10 AGR-10 AID-05 CEA-01 CEQ-01

CG-00 CIAE-00 CIEP-02 OFA-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-04 ERDA-07 FMC-02 TRSE-00 H-02 INR-07

INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02 OES-05

OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15 /130 W

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O R 062240Z NOV 75 ZFF-6

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC IMMEDIATE 1027

INFO USUN NEW YORK IMMEDIATE 1152

USMISSION GENEVA

UNCLAS MEXICO 9792

DEPT PASS DOD/DIA

USUN NEW YORK FOR RIDGEWAY

E. O. 11652: N/A

TAGS: PFOR, PLOS, MX

SUBJECT: GOM INITIATES LEGISLATIVE ACTION TO ESTABLISH  
200-MILE ECONOMIC ZONE

REF: MEXICO 6957

1. AT NOON YESTERDAY, PRES. ECHEVERRIA SIGNED TWO MESSAGES  
TO CONGRESS AIMED AT BRINGING INTO LAW 200-MILE EXCLUSIVE  
ECONOMIC ZONE WHICH HE ANNOUNCED MEXICO WOULD ESTABLISH LAST  
AUGUST 5 (REFTEL. PRESIDENTIAL MESSAGE CALLED FOR  
AMENDMENT OF ARTICLE 27 OF MEXICAN CONSTITUTION (WHICH VESTS  
ULTIMATE OWNERSHIP OF LANDS AND WATERS WITHIN NATIONAL  
BOUNDARY IN THE STATE AND ASSERTS ITS CONTROL OVER USE OF  
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THOSE TERRITORIES) AS WELL AS APPROVAL OF SPECIFIC FEDERAL

REGULATIONS TO IMPLEMENT CONSTITUTIONAL AMENDMENT.

2. IN SUMMARY, PROPOSED LEGISLATION PROVIDES AS FOLLOWS:

A. ART. 27 IS AMENDED TO ESTABLISH EXERCISE OF "RIGHTS OF SOVEREIGNTY" AND JURISDICTION OVER AN EXCLUSIVE ECONOMIC ZONE EXTENDING 200 NAUTICAL MILES FROM COASTAL BASELINES NOW USED TO MEASURE TERRITORIAL WATERS, EXCEPT THAT OFF YUCATAN COASTS BORDERS OF ZONE WILL BE DETERMINED AS NECESSARY BY AGREEMENT WITH INTERESTED STATES (I.E., HONDURAS, CUBA). AMENDMENT TAKES EFFECT 120 DAYS FOLLOWING PUBLICATION IN OFFICIAL GAZETTE (WHICH OCCURS AFTER CONGRESSIONAL APPROVAL AND RATIFICATION BY MAJORITY OF STATE LEGISLATURES).

B. DRAFT REGULATIONS REPEAT TERMS OF CONSTITUTIONAL AMENDMENT, THEN STIPULATE FOLLOWING:

(I) ISLANDS WHICH ARE PART OF NATIONAL TERRITORY, EXCEPT UNINHABITED OR ECONOMICALLY VALUELESS ONES, WILL HAVE OWN 200-MUE ZONES AROUND THEM.

(II) WITHIN 200-MILE ZONE, STATE HAS SOVEREIGN RIGHTS TO EXPLORATION AND EXPLOITATION, CONSERVATION AND ADMINISTRATION, OF BOTH RENEWABLE AND NON-RENEWABLE RESOURCES IN SUBSOIL AND WATERS ABOVE; EXCLUSIVE RIGHTS AND JURISDICTION FOR ESTABLISHMENT OF ARTIFICIAL ISLANDS, INSTALLATIONS, AND OTHER STRUCTURES; EXCLUSIVE JURISDICTION WITH RESPECT TO OTHER ACTIVITIES RELATED TO EXPLORATION AND ECONOMIC EXPLOITATION OF ZONE; AND JURISDICTION REGARDING PRESERVATION OF MARINE ENVIRONMENT, INCLUDING CONTROL AND ELIMINATION OF POLLUTIOFOJN AND SCIENTIFIC INVESTIGATION.

(III) FOREIGN STATES WILL ENJOY RIGHTS OF NAVIGATION, OVERFLIGHT, AND CABLE/PIPE LAYING WITHIN ZONE, AS WELL AS OTHER RELATED INTERNATIONALLY RECOGNIZED USES.

(IV) FEDERAL GOVERNMENT WILL ESABLISH ADMINISTRATION AND CONSERVATION MEASURES TO ENSURE THAT LIVING RESOURCES ARE NOT OVER-EXPLOITED, SETTING LIMITS ON ALLOWABLE CATCHES.

(V) FEDERAL GOVERNMENT WILL ALSO PROMOTE OPTIMUM UNCLASSIFIED

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USE OF LIVING RESOURCES WITHIN ZONE. WHEN TOTAL PERMISSIBLE CAPTURE OF A SPECIES EXCEEDS CAPACITY OF NATIONAL FLEETS, GOVERNMENT WILL GRANT ACCESS TO FOREIGN FLEETS TO HARVEST THE DIFFERENCE.

(VI) NO MODIFICATION OF PRESENT CONTINENTAL PLATFORM REGIME.

(VII) PRESENT FEDERAL LAWS WILL APPLY TO ALL ABOVE AREAS OF JURISDICTION UNTIL NEW SPECIFIC LAWS ARE

ISSUED.

(VIII) REGULATIONS TAKE EFFECT 120 DAYS FOLLOWING PUBLICATION IN OFFICIAL GAZETTE.

3. AT JOINT PRESS CONFERENCE FOLLOWING SIGNATURE OF PRESIDENTIAL MESSAGE TO CONGRESS, SECRETARIES OF FOREIGN AFFAIRS, INDUSTRY AND COMMERCE, AND NAVY, AND ACTING SECRETARY OF NATIONAL PATRIMONY HIGHLIGHTED IMPLICATIONS OF 200-MILE ZONE IN THEIR PARTICULAR SPHERES. FONSEC RABASA CALLED IT ONE OF THE MOST IMPORTANT ACTS IN MEXICO'S DIPLOMATIC HISTORY, NOTING IT WAS "IN A SENSE A REVINDICATION BY MEXICO FOR TERRITORIAL DISMEMBERMENT WHICH IT HAD UNFORTUNATELY AND UNJUSTLY SUFFERED IN PAST." RABASA ADDED THAT "WE WILL NOW HAVE A MEXICO TWICE AS LARGE AS TODAY'S." FONSEC STRESSED THAT MEASURE ACCORDED WITH AGREEMENTS ALREADY REACHED ON SINGLE TEXT AT GENEVA AND CARCAS, AND EXPRESSED HOPE MANY OTHER COUNTRIES WOULD TAKE SIMILAR STEP.

4. SECRETARY OF INDUSTRY/COMMERCE CAMPILLO SAINZ SAID THAT BY CONSERVATIVE ESTIMATE MEXICO'S FISHING HARVEST, WHICH IS NOW ABOUT A HALF MILLION TONS PER YEAR, SHOULD AT LEAST TRIPLE UNDER 200-MILE REGIME. NAVY SECRETARY BRAVO CARRERA GAVE ASSURANCES THAT IT WOULD BE POSSIBLE, WITH EQUIPMENT NOW AT HAND, FOR NAVY TO PATROL HUGE NEW AREA AND ENFORCE GOM JURISDICTION. ACTING PATRIMONY SECRETARY RAFOULL SAID THAT IN ADDITION TO PETROLEUM MEXICO WOULD BE ABLE TO EXPLOIT SUCH OTHER MEINERALS IN SEABED AND SUBSOIL OF ZONE AS PHOSPHORIC ROCK, TITANIUM, NICKEL, AND SULFUR.

5. COMMENT: EMBASSY SEES NOTHING NEW OR STARTLING IN PRESIDENTIAL MESSAGES AND LEGISLATIVE PROPOSALS, NOR ANY SIGNIFICANT DEPARTURE FROM THAT ANNOUNCED IN AUGUST. ART. 27 UNCLASSIFIED

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LANGUAGE MAKES CLEAR GOM EXPECTS TO NEGOTIATE DIFFERENCES WITH ITS NEIGHBORS OVER OVERLAPPING 200-MILE JURISDICTIONS, ONCE THEY MAKE SIMILAR MARITIME CLAIMS. AND REGULATIONS, WHILE OBVIOUSLY RESERVING FIRST CRACK AT FISHERIES FOR NATIONALS, MAKE CLEAR THAT MEXICO INTENDS TO EXPLOIT THESE RESOURCES FULLY AND WILL AFFORD OPPORTUNITY TO FOREIGN FISHERMEN TO TAKE THOSE SQ H#WHICH NATIONALS ARE INCAPABLE OF HARVESTING. WE NOTE FINALLY THAT NOTHING IN PROCEDURES CHOSEN BY PRESIDENT IMPLIES SUDDEN ARBITRARY ACTION, SINCE LEGISLATIVE PROCESS PLUS RATIFICATION WILL TAKE AT LEAST SOME WEEKS AND LAWS WILL NOT TAKE EFFECT FOR ANOTHER FOUR MONTHS AFTER THAT PROCESS IS COMPLETED.

6. SPANISH TEXTS OF PROPOSED LEGISLATION BEING SENT

SEPTEL. FULL TEXTS OF LENGTHY PRESIDENTIAL MESSAGES WILL  
FOLLOW BY AIRGRAM.  
BRANDIN

NOTE BY OCT: #TEXT AS RECEIVED.

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NNN

## Message Attributes

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**TAGS:** PFOR, PLOS, MX  
**To:** STATE  
**Type:** TE  
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